

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SAINT LAWRENCE
COMMUNICATIONS, LLC

v.

MOTOROLA MOBILITY, LLC

§
§
§
§
§
§

Case No. 2:15-cv-351- JRG

**MINUTES FOR JURY TRIAL DAY FOUR
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
MARCH 23, 2017**

OPEN: 8:40 a.m.

ADJOURN: 6:03 p.m.

ATTORNEYS FOR PLAINTIFFS: (See attached.)

ATTORNEYS FOR DEFENDANTS: (See attached.)

LAW CLERKS: Travis Underwood
Eric Dunn

COURT REPORTER: Shelly Holmes, CSR-TCRR

COURTROOM DEPUTY: Rosa Ferguson

TIME	MINUTES
8:40 a.m.	Mr. Alavi and Mr. Dacus read their lists of exhibits used in trial the previous day.
	Mr. Dacus has offers of proof and inquired as to when or how to submit. Court asked that a written version be filed.
	LAUREN KINDLER on the witness stand. Witness previously sworn.
	Jury seated in the courtroom.
8:43 a.m.	Mr. Friel requested that courtroom be sealed. Court excused those not under the protective order.
	COURTROOM SEALED.
8:44 a.m.	Direct examination of Ms. Kindler by Mr. Friel continued.
9:47 a.m.	(Bench Conference held)
9:57 a.m.	COURTROOM UNSEALED.
9:58 a.m.	Cross examination of Ms. Kindler by Mr. Hill.
10:06 a.m.	(Bench conference held)
10:08 a.m.	Cross-examination continued.
10:13 a.m.	Jury excused.
10:14 a.m.	Court in recess.
10:24 a.m.	Trial resumed. (Bench conference held).
10:27 a.m.	Jury seated in the courtroom.

10:28 a.m.	Cross-examination of Ms. Kindler continued.
11:22 a.m.	(Bench Conference held)
11:24 a.m.	Redirect examination of Ms. Kindler by Mr. Friel.
11:34 a.m.	Re-cross examination of Ms. Kindler by Mr. Hill.
11:35 a.m.	Witness excused.
11:35 a.m.	Mr. Dacus addressed the court on reading interrogatories and admissions into the record. Court instructed the jury on admissions and interrogatories.
11:36 a.m.	Mr. Drayton read interrogatories and admissions into the record.
11:45 a.m.	Defendant Motorola RESTS.
11:46 a.m.	Court in recess for lunch.
12:51 p.m.	Trial resumed.
	Mr. Hill addressed the Court regarding matters that might need to be redacted. Court will entertain an agreed motion to redact.
	Mr. Hill addressed the Court on time limitations. Court gave parties their remaining times: 1:10 for defendant and 0:36 for plaintiff. Mr. Dacus responded. Court expands time for plaintiff to 45 minutes and 1:19 for defendant.
12:57 p.m.	Jury seated in courtroom.
12:58 p.m.	Mr. Alavi called Dr. Gottesman
	DR. ODED GOTTESMAN on the witness stand. Witness previously sworn.
12:59 p.m.	Direct examination by Mr. Alavi.
1:26 p.m.	Cross-examination by Mr. Brogan.
1:47 p.m.	(Bench Conference held)
1:49 p.m.	Court in recess.
2:21 p.m.	Trial resumed. Jury seated in courtroom
2:23 p.m.	Cross-examination of Dr. Gottesman continued.
2:26 p.m.	(Bench conference held)
2:27 p.m.	Cross-examination continued.
2:48 p.m.	Redirect examination.
2:50 p.m.	Re-cross examination.
2:56 p.m.	PLAINTIFF RESTS.
2:57 p.m.	Court dismissed them until 8:30 a.m..
2:58 p.m.	Jury excused.
	Court addressed the parties and gave an outline of the rest of the day proceedings.
	Witness excused.
3:00 p.m.	Court in recess.
3:21 p.m.	Trial resumed.
	Mr. Alavi will present JMOL on availability of pre-suit damages. Mr. Drayton will present JMOL on no pre-suit damages, no damages, no infringement, and no willfulness.
3:23 p.m.	Mr. Alavi presented Plaintiff's JMOL on pre-suit damages.
3:27 p.m.	Mr. Drayton responded. Mr. Alavi presented argument on the marking issue. Mr. Drayton responded.
3:32 p.m.	Court denied JMOLs on pre-suit damages.

3:33 p.m.	Mr. Drayton presented Defendant's JMOL on no damages. Mr. Alavi responded. Mr. Drayton replied. Mr. Alavi further responded.
3:40 p.m.	Court denied JMOL on no damages.
	Mr. Drayton presented Defendant's JMOL on no infringement. Mr. Alavi responded. Mr. Drayton replied.
3:51 p.m.	Court denied JMOL on non-infringement.
	Mr. Drayton presented Defendant's JMOL on willfulness. Mr. Alavi responded.
3:54 p.m.	Court denied JMOL on willfulness.
3:54 p.m.	Court in recess for 20 minutes.
4:30 p.m.	Informal – In-chambers charge conference.
5:00 p.m.	End of conference.
5:53 p.m.	Trial resumed.
	Court addressed the parties regarding the previous in-chambers conference.
5:55 p.m.	Formal Charge Conference. Mr. Eutermoser addressed the Court on objections on jury instructions and verdict form. All objections overruled.
	Court addressed the parties on the Court's jury instructions. Court will begin at 8:30 tomorrow morning and outlined the schedule.
6:03 p.m.	Court adjourned for the day.